

STATEMENT OF  
CAPTAIN CHARLES R. CORBETT  
CHIEF, ENVIRONMENTAL RESPONSE DIVISION  
OFFICE OF MARINE ENVIRONMENT & SYSTEMS  
BEFORE THE  
SUBCOMMITTEE ON TRANSPORTATION, COMMERCE & TOURISM  
HOUSE COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE  
FEBRUARY 11, 1981

GOOD MORNING MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE. I AM CAPTAIN CHARLES R. CORBETT, CHIEF OF THE COAST GUARD'S MARINE ENVIRONMENTAL RESPONSE DIVISION. WITH ME ARE COMMANDER ROBERT ETTLE, CHIEF OF OUR PREVENTION AND ENFORCEMENT DIVISION, AND MR. FRITS WYBENGA OF THE CARGO AND HAZARDOUS MATERIALS DIVISION, OFFICE OF MERCHANT MARINE SAFETY. THANK YOU FOR THIS OPPORTUNITY TO PRESENT COAST GUARD VIEWS AND INTERESTS RELATING TO INCINERATING HAZARDOUS WASTES AT SEA.

THE COAST GUARD'S INVOLVEMENT WITH INCINERATOR SHIPS DATES BACK TO 1973 WHEN THE OPERATORS OF A FOREIGN OWNED INCINERATOR SHIP BEGAN INQUIRING ABOUT THE POSSIBILITY OF ENTERING THE U.S. TO PICK UP, TRANSPORT, AND SUBSEQUENTLY BURN HAZARDOUS WASTES. VESSEL PLANS WERE REVIEWED AND CERTIFICATES FROM THE RELEVANT CLASSIFICATION SOCIETY ATTESTING TO THE INTEGRITY OF THE VESSEL WERE REQUIRED BEFORE THE VESSEL WAS PERMITTED TO ENTER A U.S. PORT. THE VESSEL WAS INSPECTED BY COAST GUARD PERSONNEL IN THE LOADING PORT PRIOR TO GRANTING FINAL AUTHORIZATION TO CARRY HAZARDOUS SUBSTANCES FOR DISPOSAL. SINCE THAT TIME, THE VESSEL HAS MADE SEVERAL VISITS TO THE U.S., AND OUR INVOLVEMENT HAS CONTINUED TO THE PRESENT. OUR PRACTICE FOR APPROVING FOREIGN FLAG INCINERATOR SHIPS WILL CONTINUE IN THE FUTURE.

OUR INVOLVEMENT WITH INCINERATOR SHIPS HAS EXPANDED FURTHER WITH THE REQUEST FOR THE INTER-GOVERNMENTAL MARITIME CONSULTATIVE ORGANIZATION'S SUBCOMMITTEE ON BULK CHEMICALS TO DEVELOP SPECIFIC DESIGN AND CONSTRUCTION REQUIREMENTS FOR SUCH VESSELS. THE COAST GUARD HAS BEEN ACTIVE IN THE DEVELOPMENT OF INTERNATIONAL RULES FOR INCINERATOR SHIPS AND HAS ACTIVELY PARTICIPATED IN A U.S. INTERAGENCY AD HOC WORK GROUP FOR A CHEMICAL WASTE INCINERATOR SHIP PROGRAM, ESPECIALLY IN THE DEVELOPMENT OF CONCEPTUAL SHIP DESIGNS.

THE COAST GUARD'S CURRENT AUTHORITY IN THIS AREA IS THE PORT AND TANKER SAFETY ACT OF 1978 WHICH REQUIRES THE U.S. TO DEVELOP REGULATIONS FOR TANK SHIPS TRANSPORTING FLAMMABLE HAZARDOUS MATERIALS. AT PRESENT, WASTES WHICH WILL BE PROPOSED FOR CARRIAGE ON INCINERATOR SHIPS HAVE NOT BEEN CLEARLY IDENTIFIED; HOWEVER, WE ANTICIPATE THAT THEY WILL POSE APPROXIMATELY THE SAME LEVEL OF HAZARD AS SUBSTANCES CURRENTLY SHIPPED ON CHEMICAL TANKERS ENGAGED IN THE COMMERCIAL CHEMICAL TRADE. OUR APPROACH ON INCINERATOR SHIPS IS TO SET MINIMUM DESIGN REQUIREMENTS FOR A BROAD RANGE OF HAZARDOUS WASTES AND TO CERTIFICATE SHIPS MEETING THESE REQUIREMENTS. OUR APPROACH IN SETTING MINIMUM REQUIREMENTS IS CONSERVATIVE; THE REQUIREMENTS ARE SIMILAR TO THOSE APPLIED TO THE HAZARDOUS BULK LIQUIDS. PRIOR TO LOADING THE VESSEL, THE COAST GUARD WILL REVIEW DATA ON WASTES TO BE BURNED, AND A DECISION AS TO WHETHER OR NOT THE PRODUCT CAN BE SAFELY HANDLED ON AN INCINERATOR SHIP WILL BE MADE. WASTE PRODUCTS POSING HAZARDS EQUIVALENT OR LESS THAN THOSE OF CHEMICALS CARRIED IN COMMERCIAL TRADE, WILL BE PERMITTED TO

BE CARRIED ON VESSELS BUILT TO OUR MINIMUM DESIGN STANDARDS. IT SHOULD BE RECOGNIZED, HOWEVER, THAT SOME WASTES MAY BE DETERMINED TOO HAZARDOUS TO CARRY AND THAT OTHERS MAY REQUIRE IMPOSITION OF ADDITIONAL CARRIAGE REQUIREMENTS.

THE COAST GUARD IS CURRENTLY INVOLVED IN THE REVIEW OF A COMMERCIAL INCINERATOR SHIP PROPOSAL AND TO THE EXTENT THAT IT IS LIKE A CONVENTIONAL CHEMICAL TANKER, THE REGULATIONS IN 46 CFR 153 ARE APPLIED. WHERE DIFFERENCES EXIST, MR. CHAIRMAN, REASONABLE ALTERNATIVES ARE BEING DEVELOPED WHICH ARE ACCEPTABLE TO BOTH THE POTENTIAL OPERATOR OF THE VESSEL AND THE COAST GUARD.

THE COAST GUARD POSITION ON THE MOVEMENT OF HAZARDOUS WASTES IS IN KEEPING WITH THAT OF VESSEL DESIGN REQUIREMENTS. WITH REGARD TO THE MARINE TRANSPORT OF HAZARDOUS WASTES, I WANT TO EMPHASIZE THE COAST GUARD'S VIEW THAT HAZARDOUS WASTES WILL REPRESENT ONLY A SMALL PART OF THE HAZARDOUS MATERIALS ALREADY CARRIED ON OUR NATION'S WATERWAYS. THE STRINGENT SAFETY MEASURES CURRENTLY REQUIRED FOR SHIPMENT OF HAZARDOUS MATERIALS, AS WELL AS OUR EXPERIENCE IN DEALING WITH SUCH MATTERS, WILL PROVIDE A MARGIN OF SAFETY DURING THE TRANSPORT OF HAZARDOUS WASTES.

WITH RESPECT TO THE MOVEMENT OF VESSELS, IT IS COAST GUARD POLICY THAT SPECIFIC DIRECTION AND CONTROL SHOULD BE EXERCISED, WHERE NECESSARY, BY LOCAL COAST GUARD OFFICIALS ACTING IN ACCORDANCE WITH GENERAL GUIDELINES ISSUED BY THE COMMANDANT. IT IS OUR BELIEF THAT LOCAL COAST GUARD PEOPLE HAVING DETAILED KNOWLEDGE OF LOCAL PORT AND WATERWAY CONFIGURATIONS, HAZARDS, VESSEL TRAFFIC PATTERNS, CARGO CHARACTERISTICS, MARINE PRACTICES AND CUSTOMS, AS WELL AS

ENVIRONMENTAL AND ECONOMIC MATTERS, ARE IN A GOOD POSITION TO DETERMINE WHAT SPECIFIC VESSEL TRAFFIC MANAGEMENT ACTIONS ARE APPROPRIATE. WE HAVE A LONG HISTORY OF COORDINATING WITH AND SEEKING THE ADVICE OF LOCAL OFFICIALS AND INDUSTRY IN THIS REGARD.

COAST GUARD DISTRICT COMMANDERS AND CAPTAINS OF THE PORT MAY CONTROL VESSEL TRAFFIC UNDER THE AUTHORITY OF THE PORTS AND WATERWAYS SAFETY ACT. UNDER 33 CFR PART 160, THESE LOCAL COAST GUARD OFFICIALS HAVE BEEN DELEGATED AUTHORITY TO DIRECT VESSEL MOVEMENTS TO PREVENT DAMAGE AND TO CONTROL VESSEL TRAFFIC IN AREAS DETERMINED TO BE ESPECIALLY HAZARDOUS, OR UNDER CONDITIONS OF REDUCED VISIBILITY, ADVERSE WEATHER, VESSEL CONGESTION, OR OTHER HAZARDOUS CIRCUMSTANCES. THEY HAVE ISSUED, AND ARE CONTINUING TO ISSUE, ORDERS AND DIRECTIONS REGULATING THE MOVEMENT OF VESSELS CARRYING HAZARDOUS MATERIALS. WHEN THESE ORDERS AND DIRECTIONS ARE ISSUED BY THE DISTRICT COMMANDER FOR A LONG TERM, THEY ARE ISSUED ONLY AFTER THERE HAS BEEN CONSULTATION WITH STATE AND LOCAL GOVERNMENTS AND THE REPRESENTATIVES OF HARBOR AUTHORITIES, ENVIRONMENTAL GROUPS AND OTHER INTERESTED OR AFFECTED PARTIES.

AMONG THE POSSIBLE ACTIONS WHICH LOCAL COAST GUARD OFFICIALS MIGHT TAKE IS THE ESTABLISHMENT OF WATER OR WATERFRONT SAFETY ZONES AROUND OR NEAR THE VESSEL OR FACILITY. TO ENHANCE THE SAFETY OF ACTUAL VESSEL MOVEMENTS, THEY COULD, AMONG OTHER THINGS, REQUIRE THE VESSEL TO BE ESCORTED, SPECIFY TUG ASSISTANCE, RESTRICT TRANSITS TO PERIODS OF GOOD VISIBILITY, OR RESTRICT OTHER VESSEL TRAFFIC.

WE DO NOT ANTICIPATE THAT CHANGES OR MODIFICATIONS TO THE WATERFRONT FACILITIES WILL BE REQUIRED. WE BELIEVE CURRENT MARINE PRACTICES AND REGULATIONS AT THESE COMPLEXES PROVIDE FOR THE SAFE HANDLING OF HAZARDOUS MATERIALS. HOWEVER, SPECIFIC OPERATING CONSTRAINTS COULD BE IMPOSED UPON THE FACILITY BY THE COAST GUARD CAPTAIN OF THE PORT, IF HE DEEMED THEM NECESSARY. SUCH CONSTRAINTS COULD INCLUDE REQUIRING COAST GUARD INSPECTION OF THE FACILITY PRIOR TO CARGO TRANSFER OPERATIONS, OR THE MONITORING OF ALL OPERATIONS BY COAST GUARD PERSONNEL.

MR. CHAIRMAN, IT HAS BEEN A PLEASURE TO REPRESENT THE COAST GUARD HERE TODAY. IN SUMMARY, WE FULLY SUPPORT AT SEA INCINERATION OF WASTES AS A VIABLE OPPORTUNITY TO REDUCE THE INVENTORY OF HAZARDOUS WASTES FOUND IN THIS COUNTRY. WE BELIEVE THAT THE COAST GUARD CAN ENSURE THE INTEGRITY OF THE VESSELS REQUIRED IN SUCH AN ENDEAVOR AND DO NOT FEEL THAT RELATED PORT OPERATIONS AND VESSEL MOVEMENTS NOTABLY INCREASE THE POTENTIAL FOR ACCIDENTAL RELEASES. ON THE OTHER HAND, SHOULD A RELEASE OCCUR, FOR WHATEVER THE REASON, WE STAND READY, IN THOSE AREAS IN WHICH WE HAVE JURISDICTION, TO RESPOND WITHIN THE LIMITS OF OUR CAPABILITY. THANK YOU MR. CHAIRMAN. I WILL BE PLEASED TO RESPOND TO ANY QUESTIONS YOU MAY HAVE, EITHER NOW OR IN WRITING FOR THE RECORD.